

REMARKS

Claims 1-18 are pending in the application. By this amendment, claims 1, 10, and 18 are amended and claim 5 is cancelled. Support for the claim amendments can be found at least at page 3, lines 23-27 and page 4, 25-29 of the present application. No new matter is introduced. Reconsideration and issuance of a Notice of Allowance are respectfully requested.

35 U.S.C. § 102 Rejections

On page 2 the Office Action rejects claims 1-18 under 35 U.S.C. § 102(b) over United States Patent Application Publication 20020038340 to Whipple et al. (hereinafter Whipple). This rejection is respectfully traversed.

Claim 5 is cancelled, rendering the rejection of claim 5 moot.

Whipple is directed to a network application program interface that facilitates communication in a distributed network environment. However, Whipple does not disclose or suggest “wherein *a type of network device* associated with a received device-agnostic policy implementation *is identified by parsing tags of data* from said received device-agnostic policy implementation represented using Extensible Markup Language (XML) ... each of said plurality of device translators being loaded *after* said type of network device is identified to translate said received device-agnostic policy implementation into corresponding device-specific implementations,” as recited in amended claim 1 (emphasis added). Therefore, amended claim 1 is patentable.

Claims 10 and 18 recite features similar to those of claim 1, and for this reason, claims 10 and 18 also are patentable.

Claims 2-4 and 6-9 depend from patentable claim 1; and claims 11-17 depend from patentable claim 10. For these reasons and the additional features they recite, claims 2-4, 6-9, and 11-17 also are patentable.

Withdrawal of the rejection of claims 1-4 and 6-23 under 35 U.S.C. §102(b) is respectfully requested.

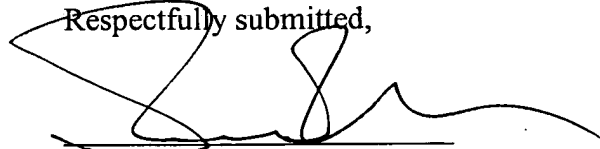
Conclusion

In view of the above remarks, Applicant respectfully submits that the application is in condition for allowance. Prompt examination and allowance are respectfully requested.

Should the Examiner believe that anything further is desired in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Date: June 2, 2009

Respectfully submitted,



Sean Wooden
Registration No. 43,997
Andrews Kurth LLP
1350 I Street, NW
Suite 1100
Washington, DC 20005
Tel. (202) 662-2738
Fax (202) 662-2739